



010504

13281 U.S.P.T.O.

Patent
Attorney's Docket No. 016914-03922581 U.S.P.T.O.
10/750940
010504

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)****MAIL STOP PATENT APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No. **2 1 8 3 9**

Sir:

This is a request for filing a [X] continuation [] divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 09/250,185 filed on February 16, 1999, for HIGH-ENERGY CYCLODEXTRIN COMPLEXES, by the following named inventor(s):

(a) Full Name Thorsteinn LOFTSSON
(b) Full Name Mar MASSON
(c) Full Name Einar STEFANSSON

[] The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

[] This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

(a) Full Name _____
(b) Full Name _____
(c) Full Name _____

[] This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.

(a) Full Name _____
(b) Full Name _____
(c) Full Name _____

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Applicant(s) suggests Figure 4 for inclusion on the front page of the patent application publication and/or patent.

Applicant(s) requests that the published application include the following assignment information: _____.

1. Enclosed is a copy of the prior Application No. _____ as originally filed on ___, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. Enclosed is a revised prior application but without a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. Small entity status is hereby claimed.
4. The filing fee is calculated below [] and in accordance with the enclosed preliminary amendment:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$770.00 (1001)
Total Claims	65	MINUS 20 =	45	× \$18.00 (1202) =	\$810.00
Independent Claims	11	MINUS 3 =	8	× \$86.00 (1201) =	\$688.00
If multiple dependent claims are presented, add \$290.00 (1203)					
Total Application Fee					\$2,268.00
If small entity status is claimed, subtract 50% of Total Application Fee					
Add Assignment Recording Fee of <u>\$ 40.00 (8021)</u> if Assignment document is enclosed					
TOTAL APPLICATION FEE DUE					\$2,268.00

5. This application is being filed without an executed oath or declaration of the inventors. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
6. Charge \$ _____ to Deposit Account No. 02-4800 for the fee due.
7. A check in the amount of \$ 2,268.00 is enclosed for the fee due.
8. The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.
9. Cancel in this application original claims _____ of the prior application before calculating the filing fee.

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10. New drawings are enclosed.

11. Priority of Application No. __ filed on __ in __ (country) is claimed under 35 U.S.C. § 119.

[] The certified copy of the priority application

[] is enclosed.

[] was filed on __ in prior Application No. __, filed on __, and acknowledged by the Examiner on __ in Paper No. __.

[] has not yet been filed.

12. A preliminary amendment is enclosed.

13. An Information Disclosure Statement is enclosed.

14. A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.

15. Also enclosed are Patent Application Data Sheet, Letter Accompanying Filing Under 37 C.F.R. § 1.53(b) Without a Declaration of the Inventors and Letter Accompanying Filing of Continuation Application Under 37 C.F.R. § 1.53(b).

16. The power of attorney in the prior application is to Mary Katherine Baumeister and all partners of Burns, Doane, Swecker & Mathis, L.L.P.

a. The power appears in the original papers in the prior application.

b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. Recognize as Associate Attorney __.

d. Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Customer Number: **21839**

P.O. Box 1404

Alexandria, Virginia 22313-1404

Date: January 5, 2004

By: Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26,254

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

[] inventor(s)
[] assignee of complete interest
 attorney or agent of record
[] filed under 37 C.F.R. § 1.34(a)

Patent Application
Attorney's Docket No. 016914-039

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of) **MAIL STOP PATENT APPLICATION**
Thorsteinn LOFTSSON et al.)
Application No.:) Group Art Unit:
Filed: January 5, 2004)
For: HIGH-ENERGY CYCLODEXTRIN) Examiner:
COMPLEXES) Confirmation No.:
) Continuation of Appln. No. 09/250,185
) filed February 16, 1999, now allowed

LETTER ACCOMPANYING FILING UNDER 37 C.F.R. §1.53(b)
WITHOUT A DECLARATION OF THE INVENTORS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**The accompanying Request for Filing Continuation Application Under 37 C.F.R.
§1.53(b) is being filed without a declaration of the inventors. Applicants request issuance of a
Notice to File Missing Parts of Application.**

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:

Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26,254

P.O. Box 1404
Alexandria, VA 22313-1404
(703) 836-6620

Date: January 5, 2004

Patent Application
Attorney's Docket No. 016914-039

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**LETTER ACCOMPANYING FILING OF CONTINUATION APPLICATION
UNDER 37 C.F.R. §1.53(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The accompanying 37 C.F.R. §1.53(b) continuation is being filed with an amended specification and claims. No new matter has been added.

The specification has been amended to cross-reference the parent application, to otherwise comply with current rules of practice and to make an amendment made during prosecution of the parent.

The claims are directed to subject matter previously claimed in parent Appln. No. 09/250,185, filed February 16, 1999, which is now allowed. During prosecution of the parent, claims of the scope of this continuation were not allowed because of the lack of NMR proof of the ring-opening mechanism. NMR data have been collected and an appropriate declaration under 37 C.F.R. § 1.132 is being prepared and will be filed in due course.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

M. K. S. B. J.

Mary Katherine Baumlester
Registration No. 26,254

Mary Katherine Baumeister
Registration No. 26,254

**Mary Katherine Baumeister
Registration No. 26,254**

Registration No. 26,254

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: January 5, 2004